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10 UNITED STATES DISTRICT COURT

11 CLARK COUNTY, NEVADA

12 UNITED STATES OF AMERICA,

13 Plaintiff,

14 vs.

2:17-cr-000132-JAD-NJK-2

15 SHAVONTE HILL

16 Defendants

17
18 **STIPULATION TO CONTINUE HEARING FOR VIOLATION OF**
19 **SUPERVISED RELEASE TERMS**

20 (Third Request)

21 CERTIFICATION: This pleading is timely filed pursuant to the pretrial order.

22 It is hereby stipulated and agreed by and between CHRISTOPHER BURTON,
23 Assistant United States Attorney, ANDREW M. LEAVITT, ESQ., counsel for
24 SHAVONTE HILL that the revocation hearing currently set for May 11, 2021 at 11:00
25 a.m. be continued for 30 days.

26 The hearing is currently scheduled for May 11, 2021. This stipulation to continue
27 will effect the hearing date.

28 This stipulation is entered into for the following reasons.

1. The parties need additional time to receive the DNA back in this case.

It is counsels understanding that the DNA needs to be cross referenced with the

1
2 Defendant's DNA and this process is ongoing. The parties have not received the results
3 from the DNA testing.

4 2. The additional time requested herein is not sought for purposes of
5 delay, but merely to allow counsel for defendant sufficient time, in light of the above,
6 within which to be able to effectively and thoroughly review the evidence in the above-
7 captioned matter, and thereafter sufficient time within which to be able to effectively and
8 thoroughly research, prepare and be ready for the hearing.
9

10 3. Denial of this request for continuance would deny counsel for the
11 defendant sufficient time, in light of the nature of the evidence in the above-captioned
12 matter, within which to be able to effectively and thoroughly review and prepare for the
13 hearing.
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15 4. Additionally, denial of this request for continuance could result in a
16 miscarriage of justice.
17

18 5. This is the Third request for a continuance filed herein.
19

20 DATED this 7th day of May, 2021.
21

22 / s / Andrew M. Leavitt
23

24 **ANDREW M. LEAVITT, ESQ.**
25 633 S. 7th Street
26 Las Vegas, NV 89101
27 Attorney for Defendant,
28 JUDIAH HOFFMAN

/ s / Christopher Burton

CHRISTOPHER BURTON, ESQ.
Assistant U.S. Attorney
501 Las Vegas Blvd. So., Ste. 1100
Las Vegas, NV 89101

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10 UNITED STATES DISTRICT COURT

11 CLARK COUNTY, NEVADA

12 UNITED STATES OF AMERICA,

13 Plaintiff,

14 vs.

2:17-cr-000132-JAD-NJK-2

15 SHAVONTE HILL

16 Defendants

17 **FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER**

18 Based upon the pending Stipulation of counsel and good cause appearing, the
19 Court finds that:

- 20 1. The parties need additional time to receive the DNA in this case.
- 21 2. The additional time requested herein is not sought for purposes of
22 delay, but merely to allow counsel for defendant sufficient time, in light of the above,
23 within which to be able to effectively and thoroughly review the evidence in the above-
24 captioned matter, and thereafter sufficient time within which to be able to effectively and
25 thoroughly research, prepare and be ready for the hearing on behalf of the client.
- 26 3. Denial of this request for continuance would deny counsel for the
27 defendant sufficient time, in light of the nature of the evidence In the above-captioned
28 matter, within which to be able to effectively and thoroughly review and prepare for the
hearing.

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2 4. Additionally, denial of this request for continuance could result in a
3 miscarriage of justice.

4 5. This is the Third request for a continuance filed herein.
5

6 **CONCLUSIONS OF LAW**

7 Based on the aforementioned findings of fact, the court makes the following
8 conclusions of law:

9 1. The additional time requested herein is not sought for purposes of
10 delay, but merely to allow counsel for the government and the defendant sufficient time,
11 in light of the above, within which to be able to effectively and thoroughly review the
12 discovery in the above-captioned matter, and thereafter sufficient time within which to
13 be able to effectively and thoroughly research and prepare for the hearing in this matter.
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15 2. Denial of this request for continuance would deny counsel for the
16 defendant sufficient time, in light of the nature of the evidence in the above-captioned
17 matter and the legal issues involved, within which to be able to effectively and thoroughly
18 review and prepare for the evidentiary hearing.
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20 3. Additionally, denial of this request for continuance could result in a
21 miscarriage of justice.

22 4. The ends of justice served by granting said continuance outweigh the
23 best interests of the public and the defendant's right to a speedy hearing, since the failure
24 to grant said continuance would likely result in a miscarriage of justice and would deny
25 counsel for defendant sufficient time within which to effectively prepare for and present
26 an appropriate defense on the currently scheduled hearing date.
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3 **ORDER**

4 IT IS HEREBY ORDERED that the hearing date in this matter shall be
5 vacated and reset to June 29, 2021, at 2:00 p.m.

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7 DATED: May 10, 2021.

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10 _____
11 JENNIFER A. DORSEY
12 UNITED STATES DISTRICT COURT JUDGE
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